

RICHARD W. NAGEL, Clerk of Court  
COLUMBUS, OHIO

FEDERAL COMPLAINT - 1

1 OHIO, ("SHADYSIDE")/("SPD'), CHIEF DONALD COLLETTE, ("COLLETTE"), and  
2 ASSISTANT CHIEF JEFFREY TODD LOEFFLER, ("LOEFFLER"), JOSEPH KLUG  
3 ("KLUG"), and PROSECUTOR KEVIN FLANAGAN, ("FLANAGAN"), in excess of  
4 \$75,000.00 in damages, Federal question, Constitutionality, civil  
5 rights, fraud, interference in interstate commerce, condemnation of  
6 land regulated under federal statute, intent to destroy interstate  
7 commerce, tortious interference with breach of contract, federal  
8 contract, misappropriation, loss of companionship, support, nurturing,  
9 and guidance and association, economic loss, duress and malice against  
10 Plaintiff, and on behalf of Dennis A. Givens.

#### 11 JURISDICTION & VENUE

12 2. And federal-question action, and all those involving claims  
13 arising under Federal law, including Title 28 U.S.C. § 1343, et seq.;  
14 Title 28 U.S.C. § 1331; Title 28 U.S.C. § 1332(a)(1), as applicable,  
15 42 U.S.C. §§1981-1983; and that which may arise under color of law,  
16 Racketeer Influenced, Federal Corrupt Practices Act 2:241-256; 18  
17 U.S.C. §§241, 242, 245; First, Second, Fourth, Fifth, Sixth, Ninth,  
18 Fourteenth and other Federal Amendments, and other appropriate federal  
19 statutes, and state law claims, and exceeding \$75,000.00 in damages.

20 3. Defendant(s) SPD, COLLETTE, LOEFFLER, KLUG, and FLANAGAN, DENY  
21 Plaintiff's First Amendment Right to Petition the government, and to  
report crime, committing Federal discrimination against the Plaintiff,  
and of breach of peace and duty, and against acts protected under  
Federal Statute, Defendant(s) acting, and at all times, under color of  
law. And such Protected Rights, by act, or omission, by Defendant(s)  
are not an isolated act, or omission, but a continued pattern clearly  
protect by the United States Statute, and further inalienable Rights

1 protected by the Constitutions of the United States, and the State of  
2 Ohio.

3 4. Plaintiff incorporates, by reference, any attached Exhibits.

4 5. This Action is brought into question Article I of the Ohio  
5 Constitution, Title 29; Section §2921.05; and corresponding Sections  
6 of the Ohio Revised Code; and/or corresponding sections and code of  
7 appropriate federal and state statutes.

8 6. There is no justification for a police or patrol officer not  
9 knowing the law.

10 7. Defendant(s) acts or omissions are the latest series of  
11 'witch-hunts' against the Givens'. The corrupt, and highly political  
12 police department of SHADYSIDE, OHIO, personified and personalized by  
13 COLLETTE, LOEFFLER, KLUG, and FLANAGAN, has subjected Plaintiff(s) to  
14 ongoing criminal investigation(s), and gross violations of Plaintiff  
15 protected rights, and subjecting Plaintiff to further 'trumped-up'  
16 charges and false allegations to protect an ongoing criminal  
17 operation, under color of law.

18 8. Under color of law, with willful knowledge and intent, and  
19 malice, Defendant(s) SPD, COLLETTE, LOEFFLER, KLUG, and FLANAGAN, with  
20 the stated intention of Plaintiff, Carol Givens, and candidate for  
21 Mayor of the Village of Shadyside, Greg Givens: it is the intention  
of the Defendant(s) to continue to harass, stalk, burden, and conspire  
against the Plaintiff(s) in violation of their Federally protected and  
states' rights unto yet another election. To continually hang  
allegations / 'charge(s)' over Plaintiff, up to, and until, such time,



1 as beneficial to THE DEFENDANT(S) political agenda to profit and gain  
2 themselves, and others, indefinitely.

3 9. Plaintiff is suing for the premature DEATH of beloved Brother-  
4 In-Law, and Uncle of Carol and Greg Givens, negligence, dereliction of  
5 rights, intentional and wanton acts, fraud, harassment, and of  
6 retaliation, against the Givens', murder, and attempted murder, in the  
7 act of Federally Protected activities, and under color of law,  
8 committed against the Plaintiff, and by named Defendant(s), SPD,  
9 COLLETTE, LOEFFLER, KLUG, and FLANAGAN.

10 10. Defendant COLLETTE is a cold, and violent man, and has lost  
11 all aspects of humanity, who peddles in death, and criminal  
12 retaliation, running a corrupt police force, aimed at the destruction  
13 of political enemies of Mayor Robert A. Newhart, Sr. and counsel.

14 11. Defendant(s) LOEFFLER, AND KLUG, are consummate liars, who  
15 stand for nothing, hiding behind a tarnished shield of criminal  
16 operation, obstruction, retaliation, and perjurious actions, as "badge  
17 bullies."

18 12. Defendant FLANAGAN is nothing but a condoner of corruption,  
19 dishonest officials, destroyers of the peace, and those who stand to  
20 protect their friends, informants, and criminal elements of evil that  
21 tear at the fabric of society and destroy what innocence to protect  
the guilty.

13. Defendant SPD, COLLETTE, LOEFFLER, KLUG, and FLANAGAN have  
committed wanton acts of gross interference with the Federal Civil and  
Constitutional Rights of the Plaintiff, which interfere with  
Plaintiff's ability of protected Federal activities under Federal



1 Statute. As well as the Constitutions both of the United States, and  
2 the State of Ohio, common law, including, but not limited to:  
3 interstate contracts, and interfered with federal business relations,  
4 and with the U.S. government, and in doing so has falsely and  
5 fraudulently taken from Plaintiff, and committed wanton acts  
6 associated against the Plaintiff, and done so with clear will, intent,  
7 and malice, clearly regulated under color of law.

8 THE PARTIES

9 14. Plaintiff CAROL GIVENS, is a resident of Shadyside, Ohio, at:  
10 3735 Highland Avenue. Shadyside, OH 43947, and whose mailing address  
11 is: P.O. Box 117, Bellaire, OH 43946.

12 15. Plaintiff GREG GIVENS, is a operator of mechanical devices,  
13 contracting, service and repair of machines, with his principal place  
14 of business in Ohio at: 3735 Highland Avenue. Shadyside, OH 43947, and  
15 whose mailing address is: P.O. Box 117, Bellaire, OH 43946.

16 16. Defendant SHADYSIDE POLICE DEPARTMETNT, is a quasi-judicial,  
17 geo-political body of the Village of Shadyside, operating under the  
18 authority and supervision of the Mayor and Village Council, in the  
19 county of Belmont, Ohio.

20 17. Defendant DONALD L. COLLETTE, is the chief of police, and  
21 department head, under the supervision and control of the Mayor, and  
Village Council, in the Village of Shadyside, Ohio.

18 18. Defendant JEFFREY TODD LOEFFLER, is the assistant chief of  
19 police, and department supervisor, under the supervision and control  
20 of the Mayor, and Village Council, in the Village of Shadyside, Ohio.

1           19. Defendant JOSEPH E. KLUG, is the chief code enforcer of the  
2 Village of Shadyside, Ohio, under the supervision and control of the  
3 Mayor, and Village Council, in the Village of Shadyside, Ohio.

4           20. Defendant(s) interfere with and jeopardize Plaintiff's  
5 federal agreements with the United States government, from which  
6 Plaintiff's earnings sit within excess of contract, and/or common law  
7 misappropriation. Individually, and collectively, DEFENDANT(S) are  
8 acting as a state actor, under color of law.

9           21. This Action is brought for damages and other appropriate  
10 statutory relief, under diversity, Federal Question, in addition to  
11 other appropriate relief under this Court's jurisdiction.

12                           FACTS COMMON TO ALL COUNTS

13           22. Over the course of the past several months, and earlier,  
14 Defendant(s) SPD, COLLETTE, LOEFFLER, KLUG, complicit, meant to damage  
15 the reputation of the Plaintiff, an to imply that he was "criminal",  
16 "crazy.", otherwise destroying Plaintiff customers, for Defendants'  
17 personal, political, material, and financial gain;

18           23. During the course of these events, Defendant(s) have misused  
19 their position and information against Plaintiff; utilized unethical  
20 conduct with schemes and fraud, mis-representation, intimidation, or  
21 molestation, and by means of restraint of trade, defamation against  
the Plaintiff, impugning trade, business or profession of the  
Plaintiff, and resulting in Plaintiff's injuries; and have affected  
borrowers and lenders, recouping costs, and mis-use of inside or  
confidential information affecting the Plaintiff to his injury.

1           24. Defendants continue this conduct unabated, and have taken  
2 steps to continue the bad conduct, and refuse to stop.

3           25. The Plaintiff alleges that the Defendants stalked and  
4 harassed Plaintiff directly causing interference with third parties,  
5 namely the federal government, and Congressionally-regulated banks and  
institutions under the laws of the United States.

6           26. On June 8, 2021, and thereabouts, Defendant KLUG, against  
7 the protected rights of the Plaintiff, perjured himself, attesting  
8 under oath that Carol and Greg Givens were "drunk", while circulating  
9 petitions for Mayor, and Village Council President, to coverup for  
10 felonious known by the remaining Defendants, and the Shadyside Police  
11 Department, to retaliation against the Plaintiff, in this instance,  
12 and with further atrocities against the Plaintiff, with the motive  
that they stood to lose their job and position, if Givens was elected  
to said public office(s) in the Village of Shadyside, Ohio.

13           27. On or about June 7, 2021, Defendant LOEFFLER conspired, and  
14 falsely testify, to deprive Plaintiff of their Federal Constitutional  
15 Rights by making up charge against Greg Givens, to 'gaslight' criminal  
16 trespass away from Clyde Yates, Jr. and Defendant KLUG for breaking  
17 and entering on Givens property, and campaign headquarters, along with  
18 menacing of power lines and utilities with Defendant COLLETTE at the  
19 Givens headquarters, and criminal damage to that property at 3735  
20 Highland Avenue, Shadyside, Ohio, to cover-up for the felonious crimes  
21 of both 'good friends' of his boss, the Mayor, and himself, and to  
further damage the reputation of Givens, and tamper with the results  
of a government-regulated election, under color of law.



28. On January 11, 2021, Defendant KLUG, against the protected rights of the Plaintiff, further perjured himself by attesting that Carol Givens, Greg Givens, and/or Dennis Givens was served with papers concerning made-up "violations" about 3735 Highland Avenue, Shadyside, Ohio, the Givens' home, and campaign headquarters, further complicating the atrocities of the remaining Defendants, and trying to seal records, filed multiple false police reports, contrary to judicial law in Belmont County, Ohio, Case Nos. 21-DR-0149, and 21-DR-0150, and in the Belmont County Courts, and in Belmont County Court, Eastern Division, Case No. 18-CR-B-0381-E, State v. Givens, affecting the course of justice, and in Federal court, and the effective outcome of a criminal investigation into the Defendants violations of statutory law, in a racketeering scheme to profit themselves, and others, against the Plaintiff, effecting such act(s), or omission(s) regulated under Ohio Revised Code: MENACING: §2903.22; ELDER ABUSE: §§5101.60(A), 5101.60(O); IMPERSONATING AN OFFICER: §2913.44; INTIMIDATION OF ELECTION OFFICIAL: §3599.24; INTIMIDATION OF ELECTORS: Ninth Amendment, 18 U.S.C. §594.52; 18 U.S.C. §20511(1); 18 U.S.C. §245(b)(1)(A); CAMPAIGN INTERFERENCE: §3599.24; PERJURY §§2921.11; 5924.131; RETALIATION: §2921.05; CRIMINAL CONSPIRACY: §2923.01; OBSTRUCTION OF JUSTICE: §2921.31. ET SEQ. of the Ohio statutory/ criminal code.

29. On May 25, 2022, Defendant LOEFFLER, retaliated against the Givens by forcing the tow of their campaign van, AND AT OTHER TIMES WITNESSED BY CRIME WATCH, pulling guns on the Givens', without probable cause, in an 'unsigned' yellow search and seizure of the Givens van, Ohio license no. HFE-5763, to 'punish' the Givens' for presenting criminal complaints against CLYDE YATES, JR. and JOSEPH

1 KLUG. A violation of Ohio law on the part of the Defendant LOEFFLER,  
2 and the Shadyside Police Department.

3 30. On, or before, August 1, 2022, Belmont County, Ohio Case Nos.  
4 22-DR-0205, and 22-DR-0208, and on subsequent date, Defendant(s)  
5 LOEFFLER, and KLUG attempted to 'hide' criminal activity and suppress  
6 subsequent allegations, committed perjury on June 4, 2021, and records  
7 of charges against persons committing crimes against the Givens', by  
8 "cover-up' of the mis-deeds and criminal activities of persons  
9 mentioned in prior police complaints, (and friends of the  
10 Defendant(s)), falsifying, under oath and seal, an 'official' record,  
11 or 'alibi,' to obstruct justice, and abuse the rights of victims of  
12 crime, and to cover for the mis-deeds of criminals, and by the attempt  
13 to unlawfully 'seal' an entire, otherwise public record protected  
14 under the Ohio Open Records Act, to obstruct justice and potential  
15 criminal investigations into the KLUG'S and YATES' for felony  
16 violations of law, to the harm of the Plaintiff, under color of state  
17 and federal law, and on June 2-3, using instant, interstate to wiretap  
18 to obstruct justice, and commit perjury in each instance.

15 31. On June 2-3, 2022, utilizing regulated interstate wire-  
16 transfer, and at other times, Defendant LOEFFLER, filed several false  
17 police reports against Givens, obstructing to course of justice,  
18 instances, of which, stemmed from events or instances when LOEFFLER  
19 was neither in uniform, or on duty at the time, nor was LOEFFLER at  
20 the scene of the so-called crime(s), 'made-up' against any one of the  
21 Givens', especially Greg Givens, candidate for Mayor, during a  
campaign/election regulated under federal and state law.



1           32. Defendant LOEFFLER's charge(s), were/are in effect, false,  
2 misleading, intentional, and "politicizing" the Shadyside Police  
3 Department, in favor of the 30-year incumbent Mayor, Robert A.  
4 Newhart, Sr., against Givens, during a federally-regulated political  
5 campaign involving each of the remaining Defendant's (except  
6 FLANAGAN), as boss in such criminal capacity and enterprise.

7           33. Dennis A. Givens, died as a result of the Defendant act(s),  
8 or omission(s), with Carol and Greg Givens as the intended target.

9           34. It must have been the "ghost" of Dennis A. Givens, that  
10 Defendant KLUG and LOEFFLER, attested, under oath, that named  
11 Defendant(s) "served" papers concerning 3735 Highland Avenue,  
12 Shadyside, Ohio, on Plaintiff, CAROL GIVENS, who was in Florida, and  
13 Dennis Givens, was DEAD, during the time of the "service" on the so-  
14 called papers concerning "violations" of 3735 Highland Avenue,  
15 Shadyside, Ohio, the Givens' property, obstructing federal justice.

16           35. On April 12, 2022, it is known that Defendant COLLETTE was  
17 seen, out of uniform, or police cruiser, leaving Shadyside, Ohio,  
18 targeting the car driven by Greg Givens, who followed Greg Givens to  
19 work at a government office, commuting. Givens, having gone inside  
20 his government work-place purposefully, and with intent to intimidate  
21 Givens, had his Uncle's car towed, in disguise, and out of uniform,  
and retaliation for complaints made to the Shadyside Police  
Department, and to further stalk, and enact vengeance/retaliation upon  
Givens, and his associations, without probable cause.

          36. On May 19, 2022, Defendant LOEFFLER, of Defendant SPD, lunged  
an attack against Carol Givens, alongside a CRIME WATCH witness, at  
the complaint desk of the Shadyside Police Department, physically



1 intending harm against Carol Givens, 74 years of age, with threats,  
2 and screaming orders to her: "No more!!!... That's enough!!!  
3 (complaints), placing fear and trepidation upon Carol Givens to not to  
4 report any more crime, and especially complaints that pertained  
5 against his (admitted) 'good friends", cohorts and gamers. I.e.  
6 (CLYDE YATES, JR., AND JOSEPH KLUG, proving that LEOFFLER had read all  
7 the Police Report filed by CRIME WATCH, and others.

8 37. On June 20, 2022, Defendant KLUG, along with suspect, Clyde  
9 Yates, Jr., did willfully, and knowingly, with malice conspire, and  
10 menace Greg and Carol Givens, dressed in black and orange garb,  
11 orchestrating harm, armed and surrounding Plaintiff at the Givens  
12 home, with torches, at night, threatening the life and livelihood of  
13 the Plaintiff, while bound to remain in their bedroom and bathroom  
14 with instruments to harass, intimidate, and menace the Plaintiff to  
15 leave the town of Shadyside, Ohio.

16 38. On May 13, 2022, Defendant KLUG along with suspect Clyde  
17 Yates, Jr. of 3743 Highland Avenue, Shadyside, Ohio, did knowingly,  
18 and willfully, orchestrate and did trespass, vandalize, and dump  
19 debris on the Givens estate, at 3735 Highland Avenue, Shadyside, Ohio,  
20 doing harm to the Givens property and intending on doing harm to Greg  
21 and Carol Givens with deadly intent to intimidate, harass, and menace  
Greg and Carol Givens, to again 'leave town."

39. And all of which causing the premature death/suffering of the  
Plaintiff, and corruption of justice against the Givens Family, and  
others. And that the Defendant(s)' attitude was: "If your not a COP,  
you are merely 'little people'."

1           40. Defendant FLANAGAN, all along, had fully known, and is  
2 culpable, that CRIME WATCH reports flooded his office, about such  
3 instances and criminal activity, with complaints related to all  
4 criminal code violations, and state cause(s) of action, where clearly  
5 the Givens' were targeted. With Givens the victim, and Defendants,  
6 the predators.

7           41. One CRIME WATCH REPORT:

8 {QUOTE}:

9           1. On May 13, 2022 at approximately 4:40 p.m., CLYDE E. YATES of  
10 3743 Highland Avenue, Shadyside, Ohio, Mead Township, Belmont  
11 county, Ohio, was seen, and did knowingly cause, acts of Criminal  
12 Retaliation and Trespass upon Carol Givens, and the Givens' and  
13 Givens property located at 3735 Highland Avenue, Shadyside, Ohio,  
14 with the Village of Shadyside, as witnessed, and believed to be  
15 along side a Code Enforcer/Joe Klug (a.k.a. Joseph Klug) of 3496  
16 Central Avenue, Shadyside, Ohio 43947, and another person of  
17 description; and on other occasions, against Carol Givens BECAUSE  
18 of her reporting the Incident of: Criminal Trespass, Vandalism,  
19 and Dumping of Clyde Yates, Jr., to Officers, JEFFREY TODD  
20 LOEFFLER, and BRENNEN DALE COLLETTE on May 5, 2022, at the Shadyside  
21 Police Department, in the name of the state of OHIO, and as an act  
of conspiracy, under threat of harm to Carol Givens, the Givens'  
and the Givens property, against the victim(s) and witness(es) to  
a prior crime reported, and in an act of CRIMINAL RETALIATION and  
revenge, under Section 2921.05 of the Ohio Revised Code, because  
the victim filed lawful complaint, or alleged criminal charges ;

2           2. Misty Dawn Klug and Joseph E. Klug, of 3496 Central Avenue,  
Shadyside, Belmont, Ohio 43947, have committed felony acts upon  
Carol L. Givens, singling her out, and her care-giver son, Greg  
Givens, by some of the following acts and offenses against her:  
TO WIT:

3           3. As a clear pattern, and under threat of harm and criminal  
menacing, and to deter Mrs. Givens Belmont county petitioning and  
testimony, Misty Dawn Klug, alongside Joseph Klug and Michelle  
Munges, physically coerced Carol L. Givens, a material witness in  
Belmont County, Ohio Common Pleas Case No's. 21-DR-0149 and 21-DR-  
0150, who had knowledge of facts concerning criminal acts  
(committed in Belmont County by Joseph E. Klug, and members of the  
Shadyside Police Department) of Stalking and Menacing of Carol L.  
Givens, and her care-giver, Greg Givens, by Misty Dawn Klug, Joseph  
Klug and Michelle Munges on/near that property while on official  
Belmont County Election business, in and throughout the vicinity



1 of Shadyside, Ohio, representing Robert Newhart, Sr., and the  
2 Village of Shadyside, Ohio;

3 4. I personally witnessed, on the 3500 Block of Central Avenue, a  
4 person, identifying herself as "Mrs. Klug,"/"Misty Dawn Klug, wife  
5 of Joe Klug," approached Greg Givens and Carol Givens, and  
6 representing also Kevin Tomlinson, all Belmont County-registered  
7 candidates petitioning for ballot for public office at that time.  
8 Misty Dawn Klug, attesting on that time, that her husband, Joe Klug  
9 "was an attorney and officer representing Mayor Robert Newhart,  
10 and the Village of Shadyside, Ohio."

11 5. I, Frances D. Wright, personally witnessed Misty Dawn Klug  
12 aggressively first approaching Mr. Greg Givens within one (1) inch  
13 of Greg Givens' head, irate and pulling at her hair, and waving  
14 her arms over Greg Givens, screaming at him and Carol Givens, as  
15 if to strike Greg Givens and Carol Givens in the head, then  
16 concealing something black posing it as a weapon, and yelling  
17 obscenities and threats to Mr. and Ms. Givens for over thirty (30)  
18 minutes, making statements that she (Misty Dawn Klug) threatened to:  
19 "ruin Greg Givens' campaign", and that she (Misty Dawn Klug) stated  
20 that she would "see to it that, Greg Givens never makes it into  
21 office." And that "you're (Givens) are the one that's crazy," "and  
you sue everyone." Michelle Munges, and Misty Dawn Klug together,  
demanded to Mrs. Zacharias to "scratch her (Mrs. Zacharias') name  
from the voter petition sheets (of Greg Givens, Carol Givens, and  
Kevin Tomlinson), right now!!!" Further stating that she (Misty  
Dawn Klug) would "call, and actively discourage voters, and would  
talk to neighbors, and everyone on social media, telling EVERYONE,  
NOT sign to Greg Givens, Carol Givens, and Kevin Tomlinson's  
petitions," and that she is "good friends with the Mayor" (Robert  
Newhart, Sr.) and that "her husband, Joseph Klug, was a lawyer for  
the Mayor, Robert Newhart, Sr." And that, "we all know you (Greg  
Givens) sleep in your van.", Misty Dawn Klug, all said, screaming  
at Greg Givens and Carol Givens. And the whole-time following Greg  
Givens and Carol Givens around, stalking, and menacing the Givens',  
up and until the time the Givens' departed. Robin Brown, a friend  
of Michelle Munges was also present during this time, and that both  
Michelle Munges and Robin Brown were drinking alcohol at a table  
behind Mrs. Zacharias, publicly intoxicated. And said persons  
participated in a relentless campaign of Menacing, Voter  
Intimidation, Election Interference, and a half dozen other  
felonious acts against Mrs. Carol L. Givens, and her care-giver  
son, Greg Givens;

19 6. Mrs. Carol L. Givens suffers from physical and mental  
20 anguish in the unlawful seizure of her van, on May 28, 2022,  
21 tripling the costs, at the hands under threat, and intimidation  
by Jeffrey Todd Loeffler, and the Village of Shadyside, she used  
for life-sustaining medical equipment and appointments treating  
her acute illness and disease, who is on a fixed income, and has  
to solely rely on the charity of others; and the subject of



1 financial exploitation, theft, and oppression by said person, and  
2 shaken to tears, and browbeaten, under further threat to change  
3 her address;

4 ;

5 7. I, Frances D. Wright, witnessed the infliction upon Carol  
6 L. Givens, an elderly adult by Officer Jeffrey Todd Loeffler  
7 throwing his fists, official intimidation, inflicting pain, and  
8 mental anguish upon Carol L. Givens, age 74, by Officer Jeffrey  
9 T. Loeffler, by verbal abuse, physical threat, and denial of Mrs.  
10 Givens' rights to report crimes against her, and her family, and  
11 her political affiliations against Mayor Robert Newhart, under  
12 Ohio Revised Code, Section 5101.60(A) ; AND 2921.05 Retaliation,  
13 report of crimes, a lawful act on May 19, 2022; jumping and with  
14 threatening acts. Officer Loeffler lunged at Mrs. Carol L.  
15 Givens, as witnessed by a rookie officer, whom Loeffler prevented  
16 her from giving her name, and badge number for identification  
17 purposes, three times, nearly knocking directly into Mrs. Givens,  
18 in retaliation for turning in a lawful complaint about her  
19 neighbor, who has been accused of criminal trespass, and whom  
20 Mrs. Givens lives in fear of her life and land, and retaliation  
21 and the drawing of weapons against her vehicle and harassment, in  
and outside the Village of Shadyside, Ohio, and have not been an  
isolated incident, and an ongoing campaign of harassment and  
abuse against Mrs. Givens, her son and elder care-giver, Greg  
Givens, and the Givens household and family.

8. Furthermore, Officer Jeffrey T. Loeffler, on May 19, 2022, have  
subjected Carol L. Givens, to a pattern of behavior that has  
occurred over time by the Shadyside Police Department, also  
involving Joseph E. Klug of 3496 Central Avenue, Shadyside, OH  
43947, and that has targeted this elderly person. In addition,  
aggression was witnessed against Mrs. Carol L. Givens, by Officer  
Jeffery T. Loeffler, that has resulted in physical harm, mental  
anguish and the deprivation of rights to services necessary to  
avoid physical harm, mental anguish, or for life-sustenance, such  
as basic, water and other services, under Ohio Revised Code Section  
5101.60(O), and 2921.05, from the Village of Shadyside, Ohio, in  
criminal acts against Mrs. Givens for lawfully reporting a crime.

9. Further, On May 29, 2022, Jeffrey Todd Loeffler would not allow  
access to make a criminal complaint upon the bodily injuries of  
Carol L. Givens, calling twice on the call box, as affirmed by 911  
dispatch, causing further, and ongoing stress, and denial, upon  
Carol L. Givens.

10. I, Frances D. Wright, have reason to believe that Carol L.  
Givens is being abused, or exploited and lives in fear and  
intimidation by said person(s).

:

11. IN FACT, there is a pattern by the Shadyside Police Department by the offenders, Jeffrey Todd Loeffler, Donald L. Collette surrounding Carol L. Givens vehicle and van, guns drawn, on a 74 year old elderly woman, prior to June 4, in clear retaliation for her testimony in a criminal case;

12. And I, Frances D. Wright, have been witness to said acts meant to intimidate, threaten, coerce, and retaliate, against Mrs. Carol L. Givens, and the Givens Family, and others, under duress and by harm, and threat of death, by named person(s) in this Affidavit, and as a result of complaint(s), testimony, and the lawful reporting of crimes against her, and in participation in the assertion of her rights protected under law, and over the course of Belmont County, Eastern Division, Case no. 21-CR-B-00247-E, and among other cases before the court;

13. I Frances D. Wright, being a disabled person, if anything should befall me, those named are responsible for my untimely demise. I am an instant material witness to direct crimes meant to intimidate, threaten, coerce, and harm by threat of injury or death by named persons, whom Officials have consistently turned a "blind eye" to let certain persons remain above the law;

14. This is to affirm this fact, and can support this further, in evidence.

COUNT I. - WRONGFUL DEATH OF DENNIS A. GIVENS, RECIPIENT OF  
FEDERAL AND STATE MONIES.

(AS TO ALL DEFENDANTS)

42. Plaintiff incorporates by reference Paragraphs 1 through 55, as if fully set forth.

43. In the death-bed confession, Dennis A. Givens, names his perpetrator, and known to the remaining Defendants, about Dennis A. Givens. Defendant(s) have DONE NOTHING as a result, with such action(s) or omission(s), with full knowledge, and culpability concerning the events and circumstances referenced in this Complaint.







1 contract(s), with the intent to harm Plaintiff, and because of his  
2 relationship with a third party, namely the United States government,  
3 and its agencies, and to permanently stop the ability of the Plaintiff  
4 to move forward with the operations of his business, and that as a  
5 direct and proximate result of Defendant(s) conduct thereto.  
6 Defendant(s) acting solely out of malice, or by improper or illegal  
7 means, amounted to a crime, or independent injury upon the Plaintiff.

8 50. Defendant(s) have interfered with the Constitutional Rights  
9 of Plaintiff by preventing Plaintiff from petitioning the government,  
10 and for effecting redress of his grievances, and have orchestrated a  
11 systematic campaign to prevent Plaintiff from reporting and enforcing  
12 those Rights over the course of these many months by act, threat, or  
13 intimidation. Defendant(s), individually, and in such capacity as a  
14 state actor, as to all counts.

15 51. Plaintiff has suffered, and continues to suffer, and is  
16 entitled to recovery, and appropriate remedy and damages.

17 COUNT III. - MISAPPROPRIATION / OFFICIAL ABUSE OF POSITION OF  
18 AUTHORITY AND OFFICE

19 (AS TO ALL DEFENDANTS)

20 52. Plaintiff incorporates by reference paragraphs 1 through 55,  
21 as if fully set forth herein.

53. As a result, Plaintiff has suffered and will continue to  
suffer damage to its goods, services and investment processes, and for  
their purposes Defendant(s) will not cease and desist all such

1 activity, such Defendant's conduct constitutes wanton and malicious  
2 behavior warranting punitive damages.

3  
4 COUNT IV. - DAMAGES & RELIEF

(AS TO ALL DEFENDANTS)

5  
6 54. Plaintiff Givens prays that the Court enter judgment in its  
7 favor and against Defendants SPD, COLLETTE, LOEFFLER, KLUG, and  
8 FLANAGAN, and award Plaintiff the following relief: general,  
9 compensatory, punitive and special damages in the amount of what  
10 Plaintiff is entitled, including medical bills, expenses,  
11 reimbursement, and ward for loss of income, loss of inheritance, and  
12 in addition, compensation for emotional harm suffered and continues to  
13 suffer for recoverable all recoverable damages, protections, and  
14 injunctive relief entitled to Plaintiff under the law, plus the excess  
15 of One Hundred Fifty Three Thousand Dollars \$153,000.00 in damages;

16 55. (i) Temporarily enjoin Defendants SPD, COLLETTE, LOEFFLER,  
17 KLUG, and FLANAGAN,, from tortuously interfering with Plaintiff's  
18 business and contracts; (ii) permanently enjoin Defendants SPD,  
19 COLLETTE, LOEFFLER, KLUG, and FLANAGAN, from tortuously interfering  
20 with Plaintiff's business and contracts; (iii) award damages in  
21 Plaintiff's favor and against Defendants SPD, COLLETTE, LOEFFLER,  
KLUG, and FLANAGAN, in excess of \$75,000; (iv) award punitive damages  
in Plaintiff's favor and against Defendants SPD, COLLETTE, LOEFFLER,  
KLUG, and FLANAGAN, because of such Defendant's wanton and malicious  
conduct; (v) award Plaintiff its costs; and (vi) grant such other or  
further relief as the Court deems just and equitable.





SERVICE OF PROCESS

The undersigned, certifies that a copy of the foregoing was served upon Clerk, Plaintiff's Complaint will be served upon the following, or an agent thereof, in accordance with Federal Rules of Civil Procedure, and that a notice as certifying the same be filed upon service, upon the following person(s):

SHADYSIDE POLICE DEPARTMENT  
VILLAGE OF SHADYSIDE, OHIO  
50 EAST THIRTY NINTH STREET  
SHADYSIDE, OH 43947,

CHIEF DONALD L. COLLETTE, S.P.D.  
50 EAST THIRTY NINTH STREET  
SHADYSIDE, OH 43947,

ASSISTANT CHIEF JEFFREY TODD LOEFFLER, S.P.D.  
50 EAST THIRTY NINTH STREET  
SHADYSIDE, OH 43947,

CODE ENFORCER JOSEPH E. KLUG  
(a.k.a. JOE KLUG)  
3496 CENTRAL AVENUE  
SHADYSIDE, OH 43947,

CHIEF PROSECUTOR KEVIN FLANAGAN  
BELMONT COUNTY PROSECUTOR OFFICE  
52160 NATIONAL RD.  
SAINT CLAIRSVILLE, OH 43950,

Respectfully submitted,

Dated: 22nd. day of November, 2022



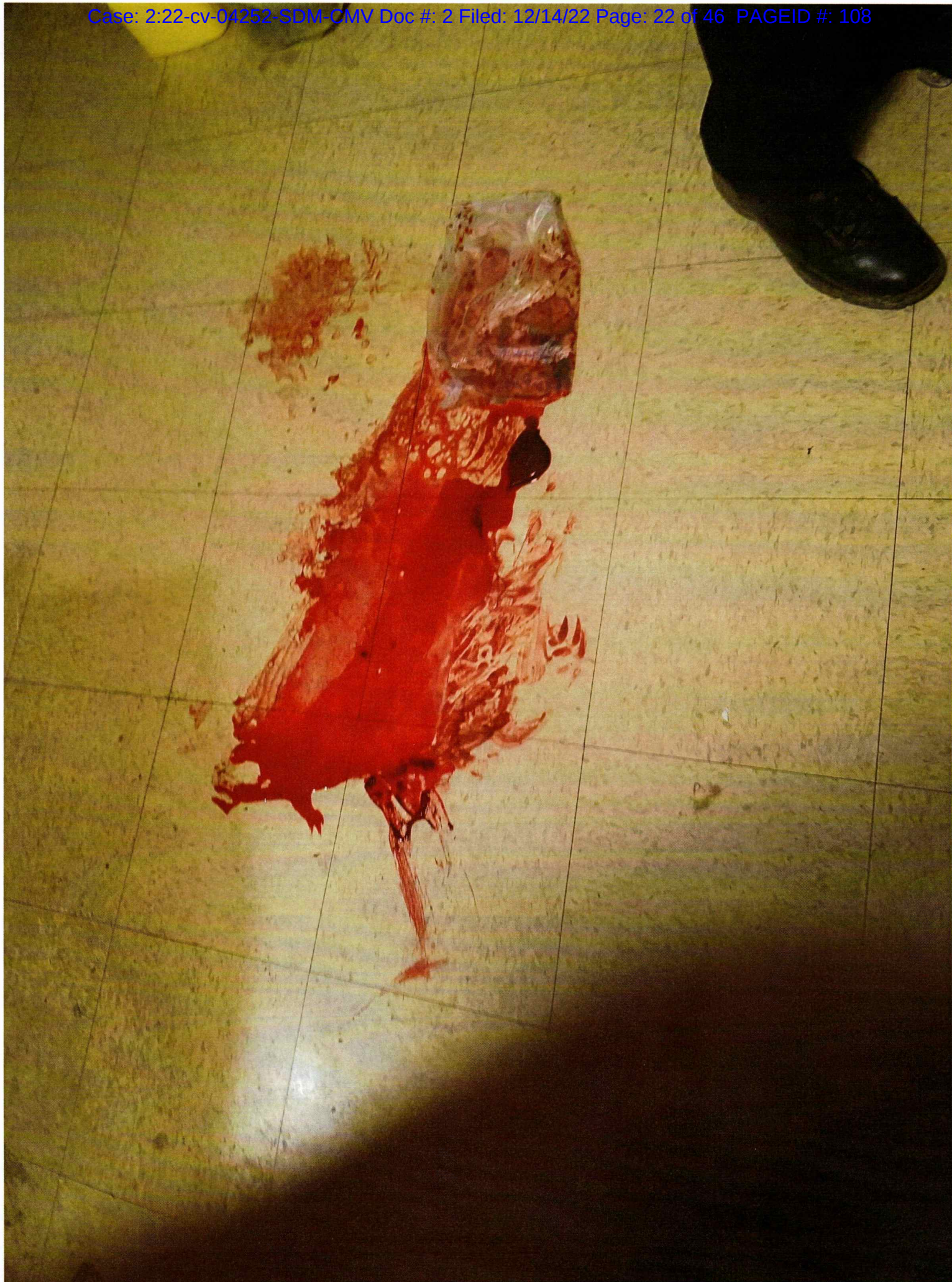
CAROL GIVENS  
P.O. BOX 117  
BELLAIRE, OH 43906



**Plaintiff- Complaint**

**EXHIBITS**

















## KEVIN FLANAGAN

**BELMONT COUNTY PROSECUTING ATTORNEY**

52160 National Road • St. Clairsville, Ohio 43950

Phone: (740) 699-2771 • Fax: (740) 695-4412

[www.Belmont-Prosecutor.com](http://www.Belmont-Prosecutor.com)

June 1, 2022

**ASSISTANT**

**PROSECUTORS**

CHRISTOPHER J. GAGIN  
RHONDA L. GREENWOOD

DAVID K. LIBERATI  
SCOTT A. LLOYD  
JOSEPH A. VAVRA

**APPELLATE COUNSEL**  
**BOARD OF REVISION**

DANIEL P. FRY

**VICTIM ADVOCATE**  
PAMELA S. BOWMAN

Carol L. Givens

P. O. Box 117  
Bellaire, OH 43906

Ms. Givens:

Please be advised that this office has reviewed the following Complaint Investigation Questionnaire's Report regarding the alleged individuals, Clyde L. Yates and Joseph E. Klug.

After further review, no criminal charges will be filed at this time as we would not be able to obtain a conviction. Clearly, based on the history with your family and those for which allegations have been made, charges in this matter are not warranted.

Sincerely,

J. Kevin Flanagan  
Prosecuting Attorney

KF:was

TO: SHADYSIDE  
POLICE DEPT.

**CRIMINAL COMPLAINT  
TO LAW ENFORCEMENT**

I, GREG GIVENS, AM A REGISTERED CANDIDATE FOR PUBLIC OFFICE FOR MAYOR IN SHADYSIDE, OHIO, ALONG WITH CAROL GIVENS, AND KEVIN TOMLINSON FOR VILLAGE COUNCIL.

AT THE TIME DURING OUR CAMPAIGNING, AN INCIDENT OCCURED, WHERE THERE WERE SEVERAL POLICE CRUISERS RESPONDING NEARBY, PARKED IN LINE, AT THE SHADYSIDE MANOR. WHILE WE WERE PETITIONING ACROSS THE STREET ON OFFICIAL COUNTY BUSINESS RELATING TO OUR CAMPAIGN WALK, PEACEFULLY, AND WITHOUT INCIDENT OF ANY KIND.

AFTER THE CRUISERS, CONSISTING OF SHADYSIDE POLICE, AND SEVERAL COUNTY SHERIFF VEHICLES --- THAT THEN LEFT, A "MRS. KLUG" APPROACHED US WITH MENACING THREAT, AND PHYSICAL HARM, ON US, ON THE 3500 BLOCK OF CENTRAL AVENUE, SHADYSIDE, ON APRIL 26, 2021 AT APROXIMATELY 7:00 P.M.

GREG GIVENS, ALONG WITH CAROL GIVENS REPRESENTING THE CAMPAIGN OF KEVIN TOMLINSON, WERE APPROACHED BY THIS MRS. KLUG , (NOT THEN KNOWN TO GREG GIVENS, OR CAROL GIVENS AT THE TIME OF THIS INCIDENT), (A.K.A. MISTY DAWN KLUG) OF 3496 CENTRAL AVENUE, SHADYSIDE, MENACINGLY AND WITH THE INTENT TO HARM GREG GIVENS BY RAISING HER HANDS TO HIT GREG GIVENS OVER THE HEAD --- AT CLOSE RANGE, AND CLOSELY

---



APPROACHING TO INJURE HIM, IF “WE DID NOT LEAVE”, WHILE GREG GIVENS AND CAROL GIVENS WERE ON AN ADJACENT BLOCK AND ON A PUBLIC AREA, MRS. KLUG CHASED AFTER GREG GIVENS AND CAROL GIVENS, FOLLOWING THEM AROUND, SCREAMING, AND MAKING THREATS OF INTIMIDATION TO STOP US FROM OUR LAWFUL CAMPAIGN, AND FROM GETTING SIGNATURES FOR OUR THREE CAMPAIGNS FOR VILLAGE OFFICE.

AMONG SEVERAL WITNESSES, AND OTHER NEIGHBORS, MRS. KLUG, STATED THAT SHE “RESPRESENTED ROBERT NEWHART”, THE CURRENT MAYOR OF THE VILLAGE OF SHADYSIDE, AND A DIRECT POLITICAL OPPONENT OF GREG GIVENS, AND HER HUSBAND, JOE KLUG (A.K.A. JOSEPH E. KLUG), AN “ENFORCER” OF ROBERT NEWHART, FURTHER STATING THAT MR. KLUG WAS “AN ATTORNEY” “REPRESENTING THEM.”

FOR AT LEAST FORTY (40) MINUTES, MRS. KLUG, WITH INTENT TO HARM, CONTINUED TO HARRASS, INTIMIDATE, MENACE, AND RAISE HER HANDS, POINTING AND CORNERING GREG GIVENS AND CAROL GIVENS BY MEANS TO ATTACK AND VERBALLY ASSAULT GREG GIVENS, AGE 50, AND CAROL GIVENS, AGE 73.

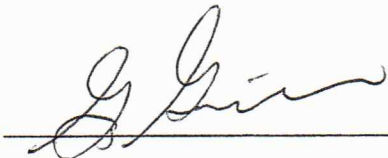
MRS. KLUG SAID THAT MR. GIVENS WAS “CRAZY”, AND PROCEEDED TO TELL NEIGHBORS, CALLING AND INTIMIDATING VOTERS ON BEHALF OF ROBERT NEWHART, NOT TO SIGN THE GIVENS AND TOMLINSON PETITIONS FOR PUBLIC OFFICE IN BELMONT COUNTY, AND STATED SHE PLANNED ON “STOPPING

---

OUR CAMPAIGNS", THREATING FURTHER VIOLENCE, IF WE  
CAMPAIGNED FURTHER, AND DIDN'T LEAVE..

GREG GIVENS, AND CAROL GIVENS NEITHER APPROACHED MRS.  
KLUG, NEITHER WERE WE PARKED ON PRIVATE PROPERTY, NOR  
TRESPASSING, OR WERE IN VIOLATION OF ANY LAWS, AS MRS.  
KLUG CONTINUED TO HARASS AND PHYSICALLY INTIMIDATE  
GREG GIVENS, CAROL GIVENS, AND REGISTERED VOTERS, AS WE  
DEPARTED IN FEAR FOR OUR LIFE, AND FROM BAD ACTIONS.

ATTESTED TO, AND SIGNED,



GREG GIVENS



CAROL GIVENS

CANDIDATES FOR PUBLIC OFFICE IN BELMONT COUNTY, OHIO

DATE: 4/27/2021

---





# Village of Shadyside

50 East 39<sup>th</sup> Street, Shadyside, Ohio 43947

## Department of Police



Donald L. Colletto, Chief of Police

Phone: 740-676-4023

Fax: 740-676-6548

### VOLUNTARY STATEMENT FORM

Approx.

Agency Report Number: \_\_\_\_\_ Date of Incident: 4/26/2021 Time of Incident: 7:00pm  
 Statement of: GREG GIVENS FOR MAYOR. Phone: (740)421-0941  
 Address: CAROL L. GIVENS/KEVIN L. TOMLINSON FOR VILLAGE COUNCIL City: \_\_\_\_\_ State: OH. Zip: 43947  
 Driver's License: 3840 FLORENCE AVENUE State: OH. DOB: SHADYSIDE, SSN: 1-2  
RJ962853. OHIO. 6/3/1970. Page: \_\_\_\_\_ of \_\_\_\_\_

### CRIMINAL COMPLAINT.

I, GREG GIVENS, AM A REGISTERED CANDIDATE FOR PUBLIC OFFICE FOR MAYOR IN  
SHADYSIDE, OHIO, ALONG WITH CAROL GIVENS, AND REPRESENTATIVE OF KEVIN  
TOMLINSON FOR VILLAGE COUNCIL. AT THE TIME DURING OUR CAMPAIGNING, AN  
INCIDENT OCCURED, WHERE THERE WERE SEVERAL POLICE CRUISERS RESPONDING  
NEARBY, PARKED IN LINE, AT THE SHADYSIDE MANOR. WHILE WE WERE PETITIONING  
ACROSS THE STREET ON OFFICIAL COUNTY BUSINESS RELATING TO OUR CAMPAIGN  
WALK, PEACEFULLY, AND WITHOUT INCIDENT OF ANY KIND.

AFTER THE CRUISERS, CONSISTING OF SHADYSIDE POLICE, AND SEVERAL COUNTY  
SHERIFF VEHICLES THAT THEN LEFT, A "MRS. KLUG" APPROACHED US WITH  
MENACING THREAT, AND PHYSICAL HARM, ON US, ON THE 3500 BLOCK OF CENTRAL  
AVENUE, SHADYSIDE, ON APRIL 26, 2021 AT APPROXIMATELY 7:00 P.M. GREG GIVENS,  
ALONG WITH CAROL GIVENS REPRESENTING THE CAMPAIGN OF KEVIN TOMLINSON,  
WERE APPROACHED BY THIS MRS. KLUG, (NOT THEN KNOWN TO GREG GIVENS, OR  
CAROL GIVENS AT THE TIME OF THIS INCIDENT), (A.K.A. MISTY DAWN KLUG) OF 3496  
CENTRAL AVENUE, SHADYSIDE, MENACINGLY AND WITH THE INTENT TO HARM GREG  
GIVENS BY RAISING HER HANDS TO HIT GREG GIVENS OVER THE HEAD — AT CLOSE  
RANGE, AND CLOSELY APPROACHING TO INJURE HIM, IF "WE DID NOT LEAVE", WHILE  
GREG GIVENS AND CAROL GIVENS WERE ON AN ADJACENT BLOCK AND ON A PUBLIC  
AREA, MRS. KLUG CHASED AFTER GREG GIVENS AND CAROL GIVENS, FOLLOWING  
THEM AROUND, SCREAMING, AND MAKING THREATS OF INTIMIDATION TO STOP US  
FROM OUR LAWFUL CAMPAIGN, AND FROM GETTING SIGNATURES FOR OUR THREE  
CAMPAIGNS FOR VILLAGE OFFICE. [Continued on Page 2 of 2]

ATTESTED AND SIGNED,

Signoff: GREG P. GIVENS. CAROL L. GIVENS.

Witness: CAROL L. GIVENS CANDIDATES FOR PUBLIC OFFICE

IN BELMONT COUNTY, OHIO

Date: 5/7/2021

Date: 5/7/2021



TO: ALL FEDERAL LAW ENFORCEMENT

**SWORN STATEMENT OF CRIMINAL ACTS  
AND FEDERAL CRIMINAL COMPLAINT  
UPON PERSONS ACTING UNDER COLOR OF STATE LAW**

---

**A F F I D A V I T**

UNITED STATES OF AMERICA

STATE OF OHIO

COUNTY OF BELMONT

TO WIT:

)  
) IN THE MATTER OF:  
)  
) SWORN STATEMENT OF CRIMINAL ACTS  
) AND FEDERAL CRIMINAL COMPLAINT  
) OF CITIZEN  
)

SS:

I, DENNIS A. GIVENS, am over the age of 18 years old, a citizen of the United States, and make this Affirmation on personal knowledge and am competent to testify to the matters herein, and give this Affirmation, based upon my personal knowledge that the facts therein are true and correct under penalty of perjury.

*This is to Affirm that,*

I, Dennis A. Givens, on the day of February 25, 2019 recall with specificity that I was physically attacked and assaulted at my door in the head, after the assailant, Donald Collette, gained access to my apartment at 3345 Monroe Street, Bellaire, Ohio. I recall answering the door to a person identifying themselves as a "Donald Collette, police officer from the Village of Shadyside" Ohio, who "had information concerning Greg Patrick Givens", my nephew. I, Dennis A. Givens, am a senior, in ill health, and know for a fact, I never open doors to anyone except family, or someone who presents credentials claiming to be from the government. I recall bleeding to death at death's door on the floor of my kitchen apartment, being physically punched in the head by Donald Collette, and injured in the facial region facing the hall door, as found hours later by authorities, nearly bleeding to death. There were prescription medications, valuables, and cash money laying out in the open, but nothing was stolen, and all was untouched by anyone, to my knowledge. I know for a fact, that my assailant said he was "delivering a message from Mayor Robert Newhart", he said. I believe that the motive was an act of political revenge and retribution against my nephew running for public office in

Affiant – DENNIS A. GIVENS

Page 1 of 2



Shadyside, Ohio against Robert A. Newhart, Sr., and others previously on Village Council in the Village of Shadyside, Ohio.

I, Dennis A. Givens, attest that, Joseph Klug, (a.k.a. "Joe Klug") Code Administrator for the Village of Shadyside, Ohio, from about May 1 to July 31, 2019, another Breaking and Entering occurred, under color of law, identifying himself as "Joe Klug" (a.k.a. Joseph Klug) of 50 East Thirty-Ninth Street, Shadyside, Ohio 43947, was witnessed doing damage to vehicles, property, and entering the home through locked enclosed gates and back door, passed numerous neon yellow "no trespassing" signs, with the intent to do me and my family harm, that occurred on my property located at: 3735 Highland Avenue, Shadyside, Ohio (Mead Twp., Ohio), along with CRIMINAL TRESPASS, and DESTRUCTION OF PROPERTY, under Ohio Code, prosecutor referring all civil rights matters to Federal jurisdictional authority, and refusing to prosecute said hate crime. I, Dennis A. Givens, as the owner of said property, am elderly, and have been hospitalized as a result.

AND I, Dennis A. Givens, make this Affidavit, being of sound mind,

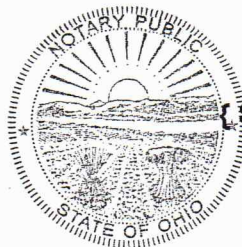
Further Affiant sayeth naught.

SWORN before me in the City of BELLEVUE  
In the County of BELMONT, this 10  
of MARCH, 2020.

SWORN, ATTESTED AND AFFIRMED,

By: Dennis A. Givens  
DENNIS A. GIVENS, Affiant

Pamela J. Eden  
Notary Public  
My Commision Expires:



PAMELA J. EDEN  
Notary Public, State of Ohio  
My Comm. Expires 03-04-2023

WITNESS  
ATTESTMENT

Greg P. Givens  
Greg P. Givens, WITNESS  
3735 Highland Avenue  
Shaydside, OH 43947





# Village of Shadyside

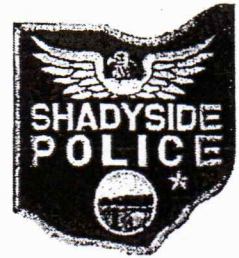
50 East 39<sup>th</sup> Street, Shadyside, Ohio 43947

## Department of Police

Donald L. Collette, Chief of Police

Phone: 740-676-4023

Fax: 740-676-6548



### VOLUNTARY STATEMENT FORM

Agency Report Number: \_\_\_\_\_ Date of Incident: 6/20/2022 Time of Incident: See below

Statement of: Frances D. Wright Phone: \_\_\_\_\_

Address: 3133 1/2 Guernsey Street City: Bellaire, State: OH Zip: 43906

Driver's License: RT056625 State: OH DOB: 12/8/1954 SSN: - - -

Page: 1 of 1

### CRIME WATCH REPORT / COMPLAINT

ON JUNE 20, 2022, AT APPROXIMATELY 9:19 P.M., A LYNCH MOB, WITH TORCHES, CONSISTING OF FIVE (5) PERSONS ASSEMBLED AT THE GIVENS ESTATE, LOCATED AT: 3735 HIGHLAND AVENUE, SHADYSIDE, OHIO, TRESPASSING, PAST NOTICES TO "KEEP OUT", AND "NO TRESPASSING" SIGNS, WITHOUT PERMISSION, OR PRIVILEGE, IN VIOLATION OF STATE LAW, TO DO HARM, MAKING DEMANDS, YELLING OBSCENITIES TO THE GIVENS', AND ARMED WITH LYNCHING ROPE, TELLING THE GIVENS' TO "LEAVE" AND "GET OUT", ORCHASTRATING A HATE CRIME, -- BRAGGING PROSECUTOR KEVIN FLANAGAN OFFICE SAID "CLYDE YATES WILL NOT EVER BE CHARGED."

SEEN ALL TOGETHER, AND IDENTIFIED, AS TWO OF THE FIVE INDIVIDUALS, WERE CLYDE E. YATES, JR. AND KIMBERLY M. CRAIG (YATES) OF 3743 HIGHLAND AVENUE, SHADYSIDE, OHIO, DRESSED UP IN BLACK/ORANGE GARB, BESIDE ANOTHER INDIVIDUAL ARMED IN GREY, SEEN EARLIER DRIVING A METALIC CADILLAC SEDAN, WITH OHIO LICENSE PLATE NUMBER "GPE-5799", WITH TWO OTHER INDIVIDUALS, POSING AS LAW ENFORCEMENT, ONE DRESSED IN DARK PANTS, USING HIS HANDS TO INSTRUCT THE OTHERS ON HOW TO TIE ROPE WITH HIS HANDS BEHIND HIS BACK. THE FIFTH INDIVIDUAL HAD ON A YELLOW/ORANGE SHIRT AND DARK BLUE JEANS, INVADING GIVENS' PROPERTY, WITH ROPE, ON ALL SIDES, AND SEEN MENACING GREG GIVENS, AN ACTIVE CANDIDATE FOR MAYOR IN THE VILLAGE OF SHADYSIDE, AND CAROL GIVENS, ALSO A CANDIDATE, SHINING LIGHTS ALL ON GIVENS PROPERTY AND DIRECTLY INTO THEIR WINDOWS, BATH, AND BEDROOMS, MAKING MORTAL THREATS TO GREG GIVENS, AND CAROL GIVENS, WHO SUFFERS LONG-TERM ILLNESSES, AN ELDERLY RESIDENT, AGE 74.

(PICTURES, AND RECORDS FORTHCOMING).

SHADYSIDE CRIME WATCH HAS NOTICED A CLYDE YATES, JR. OF 3743 HIGHLAND AVENUE, SHADYSIDE, OHIO, APPROACHING CAROL GIVENS AND THE GIVENS PROPERTY ON 3735 HIGHLAND AVENUE, SHADYSIDE, OHIO IN A MENACING MANNER, WITH INSTRUMENTS INTENDED CAUSE DISTRUCTION, HARM, AND MENACING OF THAT PERSON / PROPERTY, ON NUMEROUS OCCASIONS, DISCOURAGING CONTRACTORS, AND WITH REGULAR REPORTS OF THE SAME.

I make this statement of my own free accord and swear that the above is true to the best of my knowledge

Signed: \_\_\_\_\_

Date: 6/21/2022

Witness: \_\_\_\_\_

Date: \_\_\_\_\_





# Village of Shadyside

50 East 39<sup>th</sup> Street, Shadyside, Ohio 43947

## Department of Police

Donald L. Collette, Chief of Police

Phone: 740-676-4023

Fax: 740-676-6548



### VOLUNTARY STATEMENT FORM

Agency Report Number: \_\_\_\_\_ Date of Incident: 4/26/2021 Time of Incident: Approx 5:42 p.m.  
 & other dates

Statement of: Frances D. Wright Phone: \_\_\_\_\_  
 Address: 3133 1/2 Guernsey Street City: Bellaire, State: OH Zip: 43906  
 Driver's License: RT056625 State: OH DOB: 12/8/1954 SSN: \_\_\_\_\_  
 Page: 1 of 1

CRIMINAL COMPLAINT and to INTERNAL AFFAIRS, MAYOR ROBERT NEWHART:

I am a participant in the Political Campaign of "Greg Patrick Givens For Mayor", Carol Givens for  
Shadyside Village Council, and Kevin Tomlinson for Village Council, and am a witness, and victim  
of Criminal Retaliation, and am coming forward, and been under threat of retaliation  
and abuse by the Shadyside Police Department, and enforcers of the Code of the  
Village of Shadyside, Ohio, and to acts of STALKING, HARASSMENT, CAMPAIGN INTERFERENCE,  
THEFT, AND MENACING upon Candidates, Carol L. Givens and Greg P. Givens,  
before, and during the November 2, 2021 Election, and as Criminal Retaliation upon  
Registered Candidates for public office in Shadyside / Belmont County, Ohio;

MISTY DAWN KLUG of 3496 Central Avenue, Shadyside, Mead Township, Belmont County, Ohio,  
while I participated throughout the Givens' Campaign on April 26, 2021, witnessed ELDER ABUSE,  
among other CRIMES and dates, proceeded to MANAGE Candidates Greg Givens, and Carol Givens,  
as EVIDENCED in the attached Affidavit, and make this CRIMINAL COMPLAINT, with over  
twelve FELONIES committed on that day by SAID PERSON(S), against Greg Givens,  
Carol Givens, Kevin Tomlinson, and other residents and Electors;

I make this statement of my own free accord and swear that the above is true to the best of my knowledge

Signed: Frances D. Wright

Date: 5/19/2022

Witness: \_\_\_\_\_

Date: \_\_\_\_\_



# KEVIN FLANAGAN

BELMONT COUNTY PROSECUTING ATTORNEY

## COMPLAINT OF STATUTORY OFFENSES:

MENACING	ORC §2903.22
ELDER ABUSE	ORC §§5101.60(A); 5101.60(O)
IMPERSONATING AN OFFICER	ORC §2913.44
INTIMIDATION OF ELECTION OFFICIAL	ORC §3599.24
INTIMIDATION OF ELECTORS	18 U.S.C. §594; 52
	18 U.S.C. §20511(1); 18 U.S.C. §245(b)(1)(A)
CAMPAIGN INTERFERENCE	ORC §3599.24
PERJURY	ORC §§2921.11; 5924.131
RETALIATION	ORC §2921.05
CRIMINAL CONSPIRACY	ORC §2923.01
OBSTRUCTION OF JUSTICE	ORC §2921.31

COMPLAINT INVESTIGATION QUESTIONNAIREINSTRUCTIONS:

PLEASE FILL IN ALL BLANK SPACES THAT APPLY TO YOUR CASE. MAKE SURE YOUR INFORMATION IS ACCURATE, COMPLETE AND TRUE. THE COMPLETED FORM MAY BE SHOWN TO THE DEFENDANT OR TO HIS OR HER ATTORNEY.

TODAY'S DATE: 6/6/2022YOUR NAME: FRANCES D. WRIGHTYOUR ADDRESS: 3133 1/2 Guernsey StreetCITY BELLAIRE, STATE OH ZIP 43906YOUR HOME PHONE NUMBER (740) 298-1784

YOUR WORK NUMBER \_\_\_\_\_ YOUR CELL NUMBER \_\_\_\_\_

INFORMATION CONCERNING THE PERSON (S) YOU ARE COMPLAINING ABOUTNAME (S): MICHELLE MUNGES MISTY DAWN KLUG3500 CENTRAL AVENUE 3496 CENTRAL AVENUEADDRESS: SHADYSIDE, OH 43947 SHADYSIDE, OH 43947CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
VILLAGE OF SHADYSIDE, OH

PHONE NUMBER: \_\_\_\_\_

SOCIAL SECURITY NUMBER: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_

DRIVER'S LICENCSE NO#: \_\_\_\_\_

HEIGHT: \_\_\_\_\_ WEIGHT: \_\_\_\_\_

HAIR: \_\_\_\_\_ EYES: \_\_\_\_\_

OTHER IDENTIFYING MARKS: \_\_\_\_\_

Signed: Frances D Wright

HC, 10-6-22

ASSISTANT  
PROSECUTORS  
Christopher J. Gaglin  
Rhonda L. Greenwood  
David K. Liberati  
Scott A. Lloyd  
Joseph A. Vavra

APPELLATE COUNSEL  
BOARD OF REVISION  
Daniel P. Fry

VICTIM ADVOCATE  
Pamela S. Bowman  
(740) 695-2121  
Extension 1137

147-A West Main Street  
Clairsville, Ohio 43950  
Phone (740) 699-2771  
Fax (740) 695-4412



DO NOT FOLD HERE

Sealed? •  
 Money Enclosed? •

LICENSE # 1109 HFE 5763 STATE OH

DATE 5-25 20 22 TIME 13:36 PM

MAKE OF CAR Chevrolet

LOCATION East 37th St

OFFICER(S)

**SORRY, You Have Been Charged With  
 A Parking Violation Marked Below**

☐ Overnight Parking ..... \$10.00 ..... 20.00 ..... 30.00  
☐ Improper Parking ..... \$10.00 ..... 20.00 ..... 30.00  
☐ No Parking Zone ..... \$10.00 ..... 20.00 ..... 30.00  
☐ Parked Wrong Side ..... \$10.00 ..... 20.00 ..... 30.00  
☒ Double Parked ..... \$10.00 ..... 20.00 ..... 30.00  
☐ Overtime Parking ..... \$10.00 ..... 20.00 ..... 30.00  
☐ Parking City Property ..... \$10.00 ..... 20.00 ..... 30.00  
☐ Other Parking ..... \$10.00 ..... 20.00 ..... 30.00  
☐ Handicapped Parking ..... \$50.00 ..... 60.00 ..... 70.00  
☐ Fire Hydrant Parking ..... \$50.00 ..... 60.00 ..... 70.00

If Not Paid Within 58 Days, Your Motor Vehicle  
 Registration Will Be Suspended. In the event of  
 Registration Suspension an additional \$60.00 Fee  
 will apply. You may mail or bring tickets to:

**Police Department  
 SHADYSIDE, OHIO**



**BILL'S TOWING**  
 Bridgeport - (740) 635-1986  
 Moundsville - (304) 810-4264  
 St. Clairsville - (740) 695-5114



CUSTOMER ORDER NO.		PHONE		DATE	
				5-31-22	
NAME		ADDRESS			
Carol Givens					
CASH	C.O.D.	CHARGE	ON ACCT.	MOSE RET'D.	PAID OUT
QTY	DESCRIPTION			PRICE	AMOUNT
5	Towaway Storage			25	175 -
	1995 Chevy G20				
	5710 @ 3rd Lincoln				
	18-5/23/22				

All claims and returned goods  
 MUST be accompanied by this bill.

**Thank You!**



ATTENTION ~ Prosecutor Kevin Flanagan

## AFFIDAVIT

UNITED STATES OF AMERICA

STATE OF OHIO

COUNTY OF BELMONT

TO WIT:

)  
) IN THE MATTER OF:  
)  
) STATEMENT OF EYE-WITNESS  
) OF FRANCES D. WRIGHT  
) WITNESS TO FELONY INTIMIDATION;  
) MENACING OF PUBLIC CANDIDATE

SS:

*I, FRANCES D. WRIGHT, am over the age of 18 years old, a citizen of the United States, and make this Affidavit or Affirmation on personal knowledge and am competent to testify to the matters herein admissible in evidence, and have read the information and make these statements of my own accord, and am competent to testify of the matters stated, and the facts therein, under penalty of perjury.*

*This is to Affirm that,*

I, FRANCES D. WRIGHT, do hereby Swear or Affirm, DEPOSES and TESTIFY to the foregoing as TRUE and CORRECT:

1. I, Frances D. Wright, on June 8, 2021, personally witnessed intimidation of a material elderly witness, Mrs. Kay Zacharias, which began in a huddle-up, in the hall and adjacent to the Juvenile Courtroom on the Second Floor of the Belmont County Courthouse, Saint Clairsville, Ohio, beginning at approximately 8:50 a.m., just before a hearing before Magistrate Amy Busic, by one Misty Dawn Klug, Joseph Klug, both of 3496 Central Avenue, Shadyside, Ohio 43947, and a Michelle Munges of 3500 Central Avenue, Shadyside, Ohio 43947, a crime in the State of Ohio;

2. Under threat of harm, and commit to perjury, mastermind, Misty Dawn Klug, alongside Joseph Klug and Micelle Munges, physically coerced Kay Zacharias, also of 3500 Central Avenue, Shadyside, Ohio 43947, a material witness in Belmont County, Ohio Common Pleas Case No's. 21-DR-0149 and 21-DR-0150, who had knowledge of facts concerning criminal acts (committed in Belmont County) of Stalking and Menacing of Greg Givens, by Misty Dawn Klug, Joseph Klug and Michelle Munges on/near that property while on official Belmont County Election business, in and throughout the vicinity of Shadyside, Ohio, representing Robert Newhart, Sr., and the Village of Shadyside, Ohio;

3. On April 26, 2021, I personally witnessed, on the 3500 Block of Central Avenue, a person, identifying herself as "Mrs. Klug,"/"Misty Dawn Klug, wife of Joe Klug," approached Greg Givens and Carol Givens, and representing also Kevin Tomlinson, all Belmont County-registered candidates petitioning for ballot for public office at that time. Misty Dawn Klug, attesting on that time, that her husband, Joe Klug "was an attorney representing Mayor Robert Newhart, and the Village of Shadyside, Ohio."

(Continued on Page 2 of 4)

Initials F D W

Affiant – FRANCES D. WRIGHT

Page 1 of 4



(Continued from Page 1 of 4)

4. After approximately 7:05 p.m., on April 26, 2021, I personally witnessed Misty Dawn Klug aggressively first approaching Mr. Greg Givens within one (1) foot of Greg Givens' head, irate and pulling at her hair, and waving her arms over Greg Givens, screaming at him and Carol Givens, as if to strike Greg Givens in the head, then concealing something black posing it as a weapon, and yelling obscenities and threats to Mr. and Ms. Givens for over thirty (30) minutes, making statements that she (Misty Dawn Klug) threatened to: "ruin Greg Givens' campaign", and that she (Misty Dawn Klug) stated that she would "see to it that, Greg Givens never makes it into office." And that "you're (Givens) are the one that's crazy," "and you sue everyone." Michelle Munges, and Misty Dawn Klug together, demanded to Mrs. Zacharias to "scratch her (Mrs. Zacharias') name from the voter petition sheets (of Greg Givens, Carol Givens, and Kevin Tomlinson), right now!!!" Further stating that she (Misty Dawn Klug) would "call, and actively discourage voters, and would talk to neighbors, and everyone on social media, telling EVERYONE, NOT sign to Greg Givens, Carol Givens, and Kevin Tomlinson's petitions," and that she is "good friends with the Mayor" (Robert Newhart, Sr.) and that "her husband, Joseph Klug, was a lawyer for the Mayor, Robert Newhart, Sr." And that, "we all know you (Greg Givens) sleep in your van.", Misty Dawn Klug, all said, screaming at Greg Givens and Carol Givens. And the whole-time following Greg Givens and Carol Givens around, stalking, and menacing the Givens', up and until the time the Givens' departed. Robin Brown, a friend of Michelle Munges was also present during this time, and that both Michelle Munges and Robin Brown were drinking alcohol at a table behind Mrs. Zacharias, publicly intoxicated.

5. During that time, on April 26, 2021, Misty Dawn Klug approached and encouraged Michelle Munges to accuse Greg Givens of treachery, and engaged Greg Givens, going back and forth into a physical tirade in the street, menacing Greg Givens and Carol Givens, up and until the Givens' were forcibly cornered in their vehicle to leave the scene, legally parked beside a curb, and was not blocking any person, or vehicle the entire time. Greg Givens and Carol Givens did not trespass, or provoke anyone, at any time during the entire incident, and were solemn and sober, on official business conducting petitions for public office in the neighborhood at the entire time, arriving at Kay Zacharias' home at approximately 5:42 p.m. on April 26, 2021, peacefully talking to Mrs. Zacharias for about an hour and fifteen (1:15) minutes before the police cruisers left, and the menacing began.

6. Before this event, there were stationed at least three (3) police cruisers, double-parked facing South at the Shadyside Manor responding to an incident, including one (1) police cruiser from Shadyside Police Department, and two (2) cruisers from the Belmont County Sheriff Department. Afterward, the cruisers left, first Shadyside, then Belmont County, and a Shadyside patrol, in the alley behind 3496 Central Avenue, turned toward Elk Avenue, then left the scene without gesture or report. At that time, Misty Dawn Klug then aggressively pursued Greg Givens, and Carol Givens with menacing, and expressed her intent to further stalk and harm Greg Givens, and his campaign, along with Carol Givens, and Kevin Tomlinson. Greg and Carol Givens were afterward followed behind by a Clyde Yates, Jr., also an associate of Robert Newhart, in a red pickup truck, to 3700 Street, Shadyside, Ohio, after Carol and Greg Givens, visibly shaken, pulled over to compose – next at a friend's house, at Ms. Irene Lloyd's.

7. Further, on June 8, 2021, Misty Dawn Klug, along with Michelle Munges, intimidated Mrs. Kay Zacharias, a subpoenaed witness, in a huddle, then separately, to tell a similar, but false narrative of events of the day of April 26, 2021, to obstruct justice, in the cases referenced above, involving Greg and Carol Givens. Such acts, I personally eye-witnessed and overheard, also on audio and video that day, including, but are not limited to:

(Continued on Page 3 of 4)

Affiant – FRANCES D. WRIGHT

Initials

*F.D.W.*

Page 2 of 4



(Continued from Page 2 of 4)

Misty Dawn Klug to Mrs. Zacharias: "YOU (Mrs. Zacharias) KNOW, THIS IS ALL A MISTAKE! (YOU TELL THEM I AM INNOCENT." ... "WELL, YOU (to Michelle Munges) HANDLE HER!" (Mrs. Zacharias). To Ms. Zacharias: "YOU (Mrs. Zacharias) SIT THERE, AND DON'T TALK TO ANYONE!"

Michelle Munges to Mrs. Zacharias: "EVERYBODY IN THE COURTROOM IS A BUNCH OF BULL-SHITTING LIARS!" ... "YOU TELL THEM WHAT I TELL YOU TO SAY!!!" (Mrs. Zacharias got up to flee then from Michelle Munges, to the vending hall on the second floor of the Courthouse). I, Frances D. Wright, personally eye-witnessed, and from my experience, Michelle Munges speech continued, and was indictive of elder abuse to Mrs. Zacharias, one as demeaning, and scolding as influenced over a small child. Michelle Munges being "best friends" of Misty Dawn and Joseph Klug, who further rode Mrs. Zacharias to Belmont county Common Pleas Court on that day.

8. Audio and video tapes of intimidation of witness for the duration of audio and video in Belmont County Courthouse halls, and police reports further, proceeding to the United States Department of Justice for analysis.

9. Furthermore, I, Frances D. Wright, am aware that Greg Givens has been continually intimidated and stalked to discontinue his campaign as a candidate for public office in Belmont County, Shadyside, as a direct political opponent of Robert Newhart, Sr. And that I know the fact that, Misty Dawn Klug and Joseph Klug have a "special relationship with Robert Newhart, Sr."

10. I, Frances D. Wright, can further support all factual assertions as an eyewitness to these events, include attachments, and am willing to testify as to personal knowledge of all of these facts.

(Continued on Page 4 of 4)

Initials F D W



(Continued from Page 3 of 4)

AND I, Frances D. Wright, make this Affidavit, being of sound mind,  
Further Affiant sayeth naught.

**NOTARY**

Before me, a Notary Public (or Justice of the Peace) in and for said county, personally appeared the above-named, FRANCES D. WRIGHT, who has acknowledged that he did sign the foregoing Affidavit, and being first duly SWORN on OATH according to law, deposes and says that he has read the foregoing Affidavit subscribed by him and that the matter stated herein are true to the best of his information, knowledge and belief, in testimony whereof, I have hereunto subscribe my name,

SWORN before me,

In the County of BELMONT, this 18

of June, 2021.

SWORN, ATTESTED AND AFFIRMED,

By:

Frances D. Wright

FRANCES D. WRIGHT, Affiant

Pamela J. Eden

Notary Public

My Commission Expires:

POLICE REPORT  
ATTACHEMENTS



PAMELA J. EDEN  
Notary Public, State of Ohio  
My Comm. Expires 03-04-2023

Frances D. Wright  
3133 1/2 Guernsey Street  
Bellaire, OH 43906



**KEVIN FLANAGAN**  
BELMONT COUNTY PROSECUTING ATTORNEY

ASSISTANT  
PROSECUTORS

Christopher J. Gagin  
Rhonda L. Greenwood  
David K. Liberati  
Scott A. Lloyd  
Joseph A. Vavra

APPELLATE COUNSEL  
BOARD OF REVISION

Daniel P. Fry

VICTIM ADVOCATE

Pamela S. Bowman  
(740) 695-2121  
Extension 1137

COMPLAINT INVESTIGATION QUESTIONNAIRE

INSTRUCTIONS:

PLEASE FILL IN ALL BLANK SPACES THAT APPLY TO YOUR CASE. MAKE SURE YOUR INFORMATION IS ACCURATE, COMPLETE AND TRUE. THE COMPLETED FORM MAY BE SHOWN TO THE DEFENDANT OR TO HIS OR HER ATTORNEY.

TODAY'S DATE: 5/27/2022

YOUR NAME: FRANCES D. WRIGHT

YOUR ADDRESS: 3133 1/2 Guernsey Street

CITY BELLAIRE, STATE OH ZIP 43906

YOUR HOME PHONE NUMBER (740) 298-1784

YOUR WORK NUMBER \_\_\_\_\_ YOUR CELL NUMBER \_\_\_\_\_

INFORMATION CONCERNING THE PERSON (S) YOU ARE COMPLAINING ABOUT

NAME (S): JEFFREY TODD LOEFFLER; JOSEPH E. KLUG

200 WEST 36TH. STREET, APT. 8 3496 CENTRAL A

ADDRESS: SHADYSIDE, OH 43947 SHADYSIDE, OH 43947

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
VILLAGE OF SHADYSIDE, OH

PHONE NUMBER: \_\_\_\_\_

SOCIAL SECURITY NUMBER: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_

DRIVER'S LICENCSE NO#: \_\_\_\_\_

HEIGHT: \_\_\_\_\_ WEIGHT: \_\_\_\_\_

HAIR: \_\_\_\_\_ EYES: \_\_\_\_\_

OTHER IDENTIFYING MARKS: \_\_\_\_\_

Signed: Frances D Wright

AB 5/27/22





**KEVIN FLANAGAN**  
BELMONT COUNTY PROSECUTING ATTORNEY

ASSISTANT  
PROSECUTORS  
Christopher J. Gagin  
Rhonda L. Greenwood  
David K. Liberati  
Scott A. Lloyd  
Joseph A. Vavra

APPELLATE COUNSEL  
BOARD OF REVISION  
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TODAY'S DATE: 5/27/2022

YOUR NAME: FRANCES D. WRIGHT

YOUR ADDRESS: 3133 1/2 Guernsey Street

CITY BELLAIRE, STATE OH ZIP 43906

YOUR HOME PHONE NUMBER (740) 298-1784

YOUR WORK NUMBER \_\_\_\_\_ YOUR CELL NUMBER \_\_\_\_\_

INFORMATION CONCERNING THE PERSON (S) YOU ARE COMPLAINING ABOUT

NAME (S): JEFFREY TODD LOEFFLER; JOSEPH E. KLUG

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CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
VILLAGE OF SHADYSIDE, OH

PHONE NUMBER: \_\_\_\_\_

SOCIAL SECURITY NUMBER: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_

DRIVER'S LICENCSE NO#: \_\_\_\_\_

HEIGHT: \_\_\_\_\_ WEIGHT: \_\_\_\_\_

HAIR: \_\_\_\_\_ EYES: \_\_\_\_\_

OTHER IDENTIFYING MARKS: \_\_\_\_\_

47-A West Main Street  
Clairsville, Ohio 43950  
Phone (740) 699-2771  
Fax (740) 695-4412

Signed: Frances D Wright

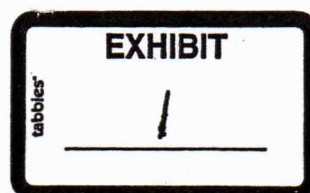
AB 5/27/22

IN THE COURT OF COMMON PLEAS  
BELMONT COUNTY, OHIO

STATE ex rel. Givens, et al.,	)	CASE NO. 19-CV0301
Petitioners,	)	JUDGE FRANK A. FREGIATO
vs.	)	<u>AFFIDAVIT OF VILLAGE CODE</u>
VILLAGE OF SHADYSIDE, OHIO,	)	<u>ADMINISTRATOR JOE KLUG</u>
et al.,	)	
Respondents.	)	

I, JOE KLUG, upon personal knowledge and information, hereby aver the following as true and accurate facts:

1. I am the Village Code Administrator for the Village of Shadyside, Ohio.
2. Property located at 3735 Highland Avenue in the Village of Shadyside became overgrown, unkempt and presented a hazard to neighboring residences in violation of local Shadyside Ordinance No. 1329.01.
3. On or about May of 2019, I reviewed and analyzed the property pursuant to the criteria set forth in Local Ordinance 1329.01 and determined there were numerous code violations.
4. Pursuant to the requirements of 1329.01, I then took photographs capturing the nature and extent of the nuisance and also prepared a written report to be presented to the Village council.
5. Subsequent to the preparation of the photographs and the report, I also issued a notice pursuant to Local Ordinance 1329.03, perfecting both personal and mail service to the owners of the residence, Carol and Dennis Givens.
6. The particular requirements of Ordinance 1329.01 and 1329.03 were meticulously





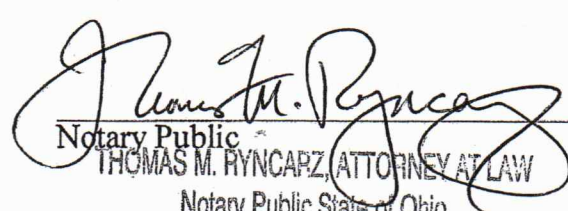
adhered to and complied with by the Village.

7. Service was perfected by publication on July 22, 2019, and the notice to owners were sent via certified mail on July 15, 2019 and again August 19, 2019.

FURTHER AFFIANT SAYETH NAUGHT.

  
JOE KLUG

SWORN TO before me and subscribed in my presence this 11<sup>th</sup> day of January, 2021.

  
Notary Public

THOMAS M. RYNCAZ, ATTORNEY AT LAW

Notary Public State of Ohio

My Commission Has No Expiration Date

Section 147.03 R.C.

Plaintiff-Petitioner ~ EXHIBIT A

## AFFIDAVIT

UNITED STATES OF AMERICA

STATE OF Florida

COUNTY OF Brevard

TO WIT:

IN THE MATTER OF: Case No. 19-CV-301

Belmont County Common Pleas Court  
Saint Clairsville, Ohio

State et rel. Givens v. Village of Shadyside, et al.

STATEMENT OF EYE-WITNESS  
OF CAROL L. GIVENS

SS:

I, CAROL L. GIVENS, am over the age of 18 years old, a citizen of the United States, and make this Affidavit or Affirmation on personal knowledge and am competent to testify to the matters herein admissible in evidence, and have read the information and make these statements of my own accord, and am competent to testify of the matters as stated, and the facts therein, under penalty of perjury.

This is to Affirm that,

I, do hereby Swear or Affirm, DEPOSES and TESTIFY to the foregoing as TRUE and CORRECT:

1. I, CAROL L. GIVENS, have never received notice pursuant to Local Ordinance 1329.03, etcetera, or ever been served as the "owner" of the residence, located at: 3735 Highland Avenue, Shadyside, OH 43947, by Village Code Administrator, "Joe Klug", or any other official or officer representing the Village of Shadyside, at anytime, by personal service, mail, or by any other means, as outlined in the Affidavit of Officer Joe Klug of the Eleventh Day of January, 2021;

2. I, CAROL L. GIVENS, have not yet seen publication, or received, any copy of, "Notice of Public Nuisance" of 3735 Highland Avenue, Shadyside, OH 43947, nor been informed by certified mail that I, CAROL L. GIVENS, or DENNIS A. GIVENS to my knowledge, have not been in compliance of Shadyside Village Ordinance 1329.01, or received Notice of nuisance, by any means; as attested to by Officer Joe Klug of the Village of Shadyside, Ohio on the Eleventh Day of January, 2021;

3. I, CAROL L. GIVENS, nor DENNIS A. GIVENS to my knowledge, at anytime filed an "official appeal" or "otherwise exhaust administrative remedies" because I, and DENNIS A. GIVENS, were not aware by Notice of any ordinance, or "nuisance violation", or that even by Notice that a "nuisance" was found, or even directed at I, CAROL L. GIVENS, OR DENNIS A. GIVENS, at anytime;

4. I, CAROL L. GIVENS, have not known 3735 Highland Avenue, Shadyside, OH 43947, to invade, or otherwise interfere with another's right, or interests, as to the peaceful use or enjoyment of the property, by being offensive, annoying, dangerous, obstructive, a hazard, or unhealthful, under any circumstances during the course(s) and time(s) outlined in the Affidavit of Officer Joe Klug of Eleventh Day of January, 2021;

(NOTARY ON NEXT PAGE)

(continued on Page 2 of 2)

Affiant - CAROL L. GIVENS

Page 1 of 2



(Continued from Page 1 of 2)

5. Further, I, CAROL L. GIVENS, am aware that the Shadyside Village Council, Mayor Robert Newhart, Sr., acted as judge, jury, and executioner, regarding vicious rumors with neighbors to incite otherwise destructive acts with unlawful and negative impact on "the Givens property", that was wholly unfounded and untrue;

6. Further, I, CAROL L. GIVENS, have NEVER met, OR RECEIVED personal service or delivery by a "Joe Klug", nor any representative of the Village of Shadyside regarding violations of ordinances, nor have had any business, or interaction of any kind, with the same, under any circumstances referred to by Joe Klug, or by letter, or by any other correspondence, referring to public nuisance to this very date; I, CAROL L. GIVENS, have had NO interaction with a "Joe Klug", or anyone whom he has said represents;

7. The foregoing Affidavit is true and correct;

AND I, CAROL L. GIVENS, make this Affidavit, being of sound mind,

Further Affiant sayeth naught.

NOTARY

Before me, a Notary Public (or Justice of the Peace) in and for said county, personally appeared the above-named, CAROL L. GIVENS, who has acknowledged that she did sign the foregoing Affidavit, and being first duly SWORN on OATH according to law, deposes and says that she has read the foregoing Affidavit subscribed by her and that the matter stated herein are true to the best of her information, knowledge and belief, in testimony whereof, I have hereunto subscribe my name,

SWORN before me,  
In the County of Brevard, this 11th  
of February, 2021.

SWORN, ATTESTED AND AFFIRMED,

By: Carol L. Givens  
CAROL L. GIVENS, Affiant

[Signature]  
Notary Public

My Commission Expires: 9/5/2022

{ SEAL }

PLAINTIFF  
EXHIBIT A



Carol L. Givens  
3735 Highland Avenue  
Shadyside, OH 43947

Affiant - CAROL L. GIVENS





# Village of Shadyside

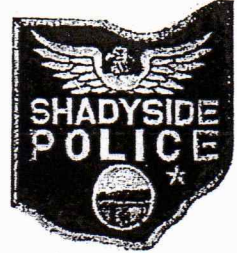
50 East 39<sup>th</sup> Street, Shadyside, Ohio 43947

## Department of Police

Donald L. Collette, Chief of Police

Phone: 740-676-4023

Fax: 740-676-6548



### VOLUNTARY STATEMENT FORM

Agency Report Number: \_\_\_\_\_

Date of Incident: 5/19/2021; and Time of Incident: Approx 3:35 p.m.  
on other occasionsStatement of: Frances D. Wright

Phone: \_\_\_\_\_

Address: 3133 1/2 Guernsey StreetCity: Bellaire,State: OH Zip: 43906Driver's License: RT056625State: OH DOB: 12/8/1954SSN: - - -Page: 1 of 1PERSONNEL COMPLAINT, ELDER ADULT PROTECTION; CRIMINAL RETALIATIONRE: OFFICER JEFFREY TODD LOEFFLER; JOE KLUG (a.k.a. JOSEPH E. KLUG)TO: INTERNAL AFFAIRS ATTN. MAYOR ROBERT NEWHART:

I, Frances D. Wright, witnessed the infliction upon an elderly adult by intimidation, pain, and mental anguish upon Carol L. Givens, by Officer Jeffrey T. Loeffler, by verbal abuse, physical threat, and denial of Mrs. Givens' rights to report crimes against her, and her family, and her political affiliations against Mayor Robert Newhart, under Ohio Revised Code, Section 5101.60(A); AND 2921.05 Retaliation, report of crimes, a lawful act on May 19, 2022; jumping and with threatening acts. Officer Loeffler lunged at Mrs. Carol L. Givens, as witnessed by a rookie officer, whom I Loeffler prevent her from giving her name, and badge number for identification purposes, three times, nearly knocking directly into Mrs. Givens, in retaliation for turning in a lawfully complaint about her neighbor, who has been accused of criminal trespass, and whom Mrs. Givens lives in fear of her life and land, and retaliation and drawing of weapons against her vehicle and harassment, in the Village of Shadyside, Ohio, and have not been an isolated incident.

Furthermore, Officer Jeffrey T. Loeffler, on May 19, 2022, have subjected Carol L. Givens, to a pattern of behavior that has occurred over time by the Shadyside Police Department, also involving Joseph E. Klug of 3496 Central Avenue, Shadyside, OH 43947, and that has targeted this elderly person.

In addition, aggression was witnessed against Mrs. Carol L. Givens, by Officer Jeffery T. Loeffler, that has resulted in physical harm, mental anguish and the deprivation of rights to services necessary to avoid physical harm, mental anguish, or for life-sustenance such as basic, water and other services, under Ohio Revised Code Section 5101.60(O), and 2921.05, from the Village of Shadyside, Ohio, in criminal acts against Mrs. Givens for lawfully reporting a crime

I, Frances D. Wright, have reason to believe that Carol L. Givens is being abused, or exploited and lives in fear by said person(s).

I make this statement of my own free accord and swear that the above is true to the best of my knowledge

Signed: Frances D. WrightDate: 5/27/2022

Witness: \_\_\_\_\_

Date: \_\_\_\_\_